

PLANNING COMMISSION MINUTES

August 4, 1999

CALL TO ORDER: Chairman Maks called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

ROLL CALL: Present were Chairman Dan Maks; Planning Commissioners Tom Wolch, Vlad Voytilla, Eric Johansen, Sharon Dunham, and Chuck Heckman. Don Kirby was excused.

Staff was represented by Development Services Manager Irish Bunnell, Associate Planner Colin Cooper, Assistant City Attorney Ted Naemura, and Recording Secretary Cheryl Gonzales.

OLD BUSINESS:

Continuances

PUBLIC HEARINGS

A. TA980013 - MULTIPLE USE DISTRICTS INTERNAL CONSISTENCY AMENDMENT

(Request for withdrawal)

This City-initiated proposal would, if approved, amend Section 20.20 Multiple Use Districts of the Development Code by adding internally consistent text for each of the zoning districts defined in Section 20.20 Multiple Use Districts.

B. CUP99003 - GRAMOR MURRAY SCHOLLS

(Continued from July 21, 1999)

Request for a Conditional Use Permit approval for a Planned Unit Development (PUD) on 21.2 acres of the former PGE site on the northwest corner of SW Murray Boulevard and SW Scholls Ferry Road. The PUD request is to be in multiple phases to include proposed retail, office uses, restaurants, and approximately 20 townhomes on the northeast corner of the site. Proposed access points include one on SW Murray Boulevard and three on SW Scholls Ferry Road. The applicant also requests Design Review approval for approximately 165,250 square feet of the commercial use center. The Design Review request includes review of nine new buildings and two existing buildings to be remodeled. The development proposal is on Tax Lots 100 and 800 of

Assessor's Map 1S1-32DA and is zoned Town Center – Sub Regional. The site is within the R5, TC-SR, LI zone. Map 1S1-32DA; Tax Lots 100, 500, 700 & 800, and Map 1S1-32AD; Tax Lots 800 & 900.

Commission members were polled to determine any ex-parte' contact, or conflict of interest, or for any reason disqualify themselves from participation. Commissioner Heckman advised of his association with the Murray Hill Home Owners Association. Asked if he had talked to counsel, he had; was advised to leave it to the Commission. Chairman Maks stated this was a minor issue; the association had been disclosed. The Commission was polled. There was no disqualification by members. Commissioner Wolch stated that he had been made aware of on-going discussions with Gramor and Beaverton staff concerning access issues to Scholls Ferry Road and Murray Blvd., all within the context of the Traffic Engineering Section. Commissioner Dunham had attended the Sexton Mountain NAC meeting where Gramor presented their proposal. Chairman Maks noted receipt of an e-mail requesting information on a proposed restaurant at this site. It was returned with the response that there was a pending application. He noted conversation with a friend was leading to talk about the application; it was not pursued; other legislative actions that had occurred with regard to the Murray Scholls Town Center were discussed. Also, by sitting on the Board of Directors, of the Downtown Vancouver Association he was made privy to leasing talks and agreements by the Applicant. Four to five weeks ago he received a call by staff, at the request of the Applicant, to find out if he would be attending this meeting. This could be viewed by someone to inflect bias on the part of Chairman Maks. However, Chairman Maks stated those would not affect his ability to be fair and impartial. Addressing everyone in attendance, there were no challenges to the right of any of the members of the Commission to participate in this hearing.

Chairman Maks reviewed the meeting process and format. He stated the criteria upon which the Commission must base its action is stated in the Staff Report.

Mr. Bunnell presented a film of three different sites and their approach to a Town Center Design. The first site, is the Fred Meyer Town Square. It is low density, ample parking, buildings are set back from the public right-of-way; little relationship among and between the buildings. Development is served by a series of private driveways running through the parking lot areas. There are several unrelated out-buildings. Pedestrian circulation amenities are minimal. Angle-in parking occurs off some of the private drives.

The second is Bethany Village Town Center; buildings are set at street frontage, parallel parking, pedestrian amenities invite people into the center; there are public streets running through the site. There is pedestrian circulation every place within this development, very pedestrian friendly. Vehicle and pedestrian circulation pattern is laid out in a grid pattern; future development pads are readily discernible. The buildings relate to each other architecturally and in materials all through the development. The amenities within this development make it a place where people want to come to visit

and shop. Most of the parking is in the rear, back of buildings, easy to navigate. Multi-family housing is close by, transitioning down to duplexes and single family housing.

The third, Orenco Station has much higher density and has an urban street frontage. It's a mixed development going from commercial to residential; open spaces and pedestrian amenities are throughout the project.

It was noted that staff also had a film of the site, but as the quality was not good and therefore, chose not to show it. Members were familiar with it by having driven by, walked by, jogged by in preparation of this meeting. Members site visits were disclosed by all, there were no disqualifications.

Staff report was discussed, Item #1, page 29, date cited should be July 21, not July 14. This was amended.

Mr. Cooper addressed CUP99003, Gramor Murray Scholls: The purpose of the meeting tonight being the result of a previous action of this body placing Town Center Sub-regional zoning on the site which Mr. Bunnell had earlier referred to at the time of his film presentation. However, because the site has been removed for consideration of the Town Center Sub-regional planning process, at least for the time being, these actions are not necessarily all applicable anymore other than the PUD process. This was noted so that Commission members and Applicant knew where we've been, and where we're going.

The staff recommended approval of the proposed project, based on some staff compromises which in turn are based on the future re-development of the site. Condition #4, for example, provides triggers that will change parking from 90 degree head-in parking to parallel. This was a compromise with respect to current market conditions. The Transportation Conditions were noted.

In response to Commissioner Wolch's question regarding the zoning on the surrounding property in the Town Center, Mr. Cooper responded that it will be the existing City of Beaverton zoning as we know it and as recorded in the Staff Report. Mr. Bunnell added that Mr. Cooper is correct, and that the zoning of the surrounding property is in the process of being adopted as Town Center.

Commissioner Heckman questioned the number of pre-application conferences before a project makes final application. Mr. Cooper responded that this number was not unusual for a project of this complexity and magnitude. Commissioner Heckman asked if the Lot 400, should be 100 (page 6). Mr. Cooper stated that it should be 100 as it is the Tax Lot down by the pond. On page 7, Commissioner Heckman asked if the wetland was all on TL 100, and Mr. Cooper said that was correct. Page 8, Commissioner Heckman questioned whether or not the public access easement was in place now or did it have to be negotiated with the owners. Mr. Cooper stated that ownership is with the privately held land with the public access across it. This easement

exists on that site as confirmed by the Transportation and Engineering staff. Also, the path that follows the drainage, at the end of the natural resource is intended to be retained. Regarding the TCSR, Commissioner Heckman asked what is the intent to determine the service area and what is the diameter of the service area. This can be answered two ways, stated Mr. Cooper: one with regard to the Town Center and the service area by Metro's concept of a Town Center, the definition is a fairly limited one; with regard to the TCSR and the actual accepted language, we don't have a defined market area per se'. Mr. Cooper indicated that he would need to review the staff report and provide Metro's definition of the Town Center market area. Usually the applicant's market analysis will establish a scientific and natural boundary, then that is compared to policies as to whether a certain commercial district is intended to attract a larger market area or smaller market area. Commissioner Heckman stated that is it fair to say the TCSR has a smaller market area than the TC designation. Mr. Cooper said that the TCSR is intended to be a sub-regional market to be different from the TC. Commissioner Dunham, regarding page 6, background information, the square footage proposed to spread out over 11 buildings, asked if it doesn't include a proposed future phase. Mr. Cooper answered that the proposed future phase were the 20 some owner-occupied rowhomes. Chairman Maks added the comment that it is just the current project that is on the table now; Mr. Cooper confirmed.

Commissioner Johansen asked Mr. Cooper if he had had a chance to review the fax from Mr. Abel, particularly Item B, regarding deferring the improvements to Scholls Ferry until after the certificate of occupancy issuance for the sixth new structure. Mr. Cooper advised he would have to double check the language in the letter and question the Applicant whether they intended that to mean all Scholls Ferry frontage or simply the extension that is required under the Washington County Transportation Conditions. Mr. Cooper would need to get back on this. Commissioner Johansen queried as to a condition that was proposed by the Applicant, could it be an impediment in making that improvement. Could the Applicant come back and say, yes, you need to do this but we have a condition that says we don't have to do it until some future date associated with the development of their site? Mr. Cooper agreed that this was also his concern and he would re-read Mr. Abel's communication. Commissioner Johansen asked him to expand on the reason behind his non-support of the right-out prohibition on Murray. Mr. Cooper replied that Transportation and Engineering staff felt very strongly that right-out doesn't meet the site distance travel speed; all the safety capacity issues are contrary based on that right-out condition in that location, given the proximity from the Murray-Scholls intersection.

Chairman Maks asked that if this application is approved and a gas station comes forward, are we authorizing 24 hour operation with this application. Mr. Cooper answered, no, it only approves the configuration around the site and the infra-structure needed to develop that site.

Regarding the entries, Chairman Maks questioned that if the 1000 foot requirement were waived using instead the code requiring 530 feet; then does that likewise apply to

arterials, or for internal circulation? Mr. Cooper replied that it applies for public road connections through developed land. The Transportation and Engineering staff has allowed that it applied for this site and these access points across the site. Chairman Maks stated that his concern was blocking up the arterials creating significant traffic problems and possible cut-through traffic. Mr. Cooper advised they are keenly aware of the issue and that is why the condition currently, is no left turn except at the signal light at the intersection at the center access point. Chairman Maks commented about the many curb cuts again affecting arterials. Mr. Cooper stated that this had been discussed hotly; that the curb cuts were based on the conditions Washington County had handed down. Chairman Maks stated these had the deceleration lanes which are not in other locations. Mr. Cooper responded that this has been analyzed, Transportation and Engineering have signed off on them.

Chairman Maks was concerned about the mix of residential, office, retail, commercial; the amount of retail having an initial negative effect on the future of the town center. Mr. Cooper assured him that none of these uses or the amount of mix would detract from the town center, but only add to the requirements for a town center. Studies with other market forces indicated no concern at all. They believe proposing what they have, will not take away from future success or opportunities.

With regard to the film by Mr. Bunnell, the Fred Meyer location, Chairman Maks asked what would happen if there was an accident on a roadway in Fred Meyer's on private property. He stated you could drive at 45 mph without getting a ticket. Mr. Cooper said that because it's private property, even with the public access easement, the officer can only assist in the exchange of information. There is no traffic enforcement on private property.

Commissioner Wolch commented that there appears to be three property owners involved and asked if Gramor can act on behalf of them as the Applicant. Mr. Cooper stated that they can do this, he indicated that we have the signatures of all those entities. Commissioner Wolch asked for discussion on the right angle parking issue, the public access easement streets, the 5 to 10 mph design speed. Mr. Cooper responded that because they do have 90 degree parking, by engineering standards they are a 5 to 10 mph street. Commissioner Wolch further commented that at certain levels of development, the parking would be changed, is the Staff still in agreement with that? Mr. Cooper answered that this issue involved a year-long conversation; staff wanted a public street; Applicant, a private street. The private street works from both the design standpoint and being a market reality. The staff has compromised and are standing by that tonight. We feel this will work for the future.

Regarding the traffic study, Scholls Ferry and Davies, Commissioner Johansen asked why it wasn't included. Mr. Cooper answered that there was possibly a tactical reason. Commissioner Johansen pointed out that the study went curiously beyond it. Mr. Cooper referred to Mr. Randy McCourt to answer that question later in the discussion.

Commissioner Heckman pointed out changes in the site plan: removal of 90 degree parking, removal of parking in front of buildings 1, 3, Pad A. Mr. Cooper replied that the site plan has changed slightly over time: Pad A had become something else that he would follow up on. Commissioner Heckman pointed out the discrepancy in the walkways (Exhibit 6, Letter dated December 14) stating that they were to be seven feet wide, but later indicating eight feet wide. He asked the rationale for going to eight feet. Mr. Cooper answered that the seven feet was a citation to our existing code concerning any sidewalk adjacent to a parking lot with bumper overhang; while the eight foot width refers to the pathway around the lake, entry pedestrian ways, internal walkways; the fact that they are trying to establish an urban-like style in design. Commenting on Exhibit 9, Item 8, applying for a variance, impacting 90 degree parking, Mr. Cooper responded that it was determined that a variance wasn't required under the PUD standard. The PC has the authority to modify the street cross section and allow the 90 degree parking. So that was something that went away. Exhibit #10, page 2, Letter from Mr. Shephard, addressing cut-through traffic, the creation of a "rat-run" from Teal Boulevard to Scholls Ferry Road, Commissioner Heckman solicited Mr. Cooper's comment. He answered that the Transportation and Engineering staff didn't believe this to be a concern as driver's have a choice to take Teal all the way to Scholls Ferry, so there is not a large number of vehicles that would be benefiting from the notion of cutting through the site. Commissioner Heckman asked if the staff was still holding to the policy of the curb cut on Murray being a right-in only. Mr. Cooper replied that Washington County controls those two right-of-ways; Gramor has applied for modifications to those access standards. There is to be another review; we have not heard back from Washington County. Today, then, the conditions stand as we read them, that is a right-in only on Murray.

Page 26, Commissioner Heckman commented road continuation information as stated is correct concerning the wildlife and habitats, two ponds and then asked Mr. Cooper if he thought the increased traffic across that area would have any effect on the wildlife. Mr. Cooper responded that he didn't feel he was qualified to make that judgment. It was noted from traffic information, a possibility of over 1200 trips a day across that area; Commissioner Heckman added that that figure appears to be significantly high compared to the way it is today.

Page 60, VIII, Sec. B, Response; Commissioner Heckman asked if this was correct as stated. Mr. Cooper answered with regard to Teal, the statement is correct, streets could be connecting.

Chairman Maks asked if the Applicant has gained the required right-of-way for that right hand deceleration lane on the Murray Boulevard entrance. Mr. Cooper stated that the Applicant has asked that they be allowed a slightly shorter deceleration lane because of the pond. The deceleration lane is there; it's been studied by the Washington County engineers and been accepted. Chairman Maks questioned at what time the light was going to be put in. Mr. Cooper was uncertain, if it is prior to occupancy. Chairman Maks stated that he wanted to know if it's prior to occupancy or, if when "warrants"

require it. This is very important and requires a specific answer. Concerning other road improvements, Chairman Maks asked if those were going to be done prior to occupancy. Mr. Cooper replied that it is his understanding, prior to occupancy. Chairman Maks added that he wants to make certain that it's also within our conditions, whether it be ours or Facility Review. Mr. Cooper will need to verify this.

Page 26, Commissioner Dunham asked about the parking reduction issue; stall depth vs. the number of parking spaces. Page 7 indicates that parking and drives comprise 50% of this entire site; would it then be just as beneficial to decrease the amount of parking. There are 989 planned spaces; minimum-maximum is 847 and 1166. Of the 142 extra spaces, can those be pared down to achieve that same effect. Mr. Cooper answered that under the development code, they have that number and Applicant feels they are under parked for the market as it stands. To increase the amount of more open space, an alternative might be to increase the buffers, allowing for more landscaping. He further noted that they are making this request based on the finding of the Transportation and Engineering staff. Mr. Cooper stated also that Commissioner Dunham and other members of the Commission have the authority to reduce the parking as a CUP and a PUD. With regard to the "sea of parking", Mr. Cooper said we can work with the allowed range of the TCSR.

APPLICANT:

MATT GRADY; Gramor Oregon Inc., 9895 SE Sunnyside Road, Suite P, Clackamas, Oregon 97015.

BARRY CAIN: Gramor Oregon Inc., 9895 SE Sunnyside Road, Suite #P, Clackamas, OR 97015.

Mr. Grady noted the Gramor presentation included plans, exhibits, new letters, and color book. The main presenters for the applicant included: Mr. Barry Cain, President; Mr. Michael Lee, Sienna Architecture; Mr. Michael Odren, Christopher Freshley Landscape Architect; Mr. Randy McCourt, DKS Associates.

Mr. Cain explained that they first became involved developmentally in 1992 when they purchased the Murray Hill Market Place. They worked with the City of Beaverton and Washington County to get a right-in, right-out access on Murray. This was successful. In June 1995, they became aware that PGE was interested in selling their Western Service Center to a large 165,000 square foot big box retailer. They were concerned about the best use for the neighborhood, and decided a mixed use project would make the best sense. PGE accepted their proposal in October 1995. However, the purchase agreement was not finally approved until October 1996.

There was another piece of property, key in making this project work of 3.32 acres. The owner, however, agreed to sell the property to a mini-storage development. This created a serious problem; concerning their non-contingent offer agreeing to pay PGE about \$7 million, and having the mini-storage between a new development and the

lake. They met with the mini-storage representative and with the owner of the property and negotiated a back-up offer which was finally accepted. The property however, was zoned light industrial.

Another issue needing resolution was a group of people, not the Murray Hill residents, wanted a park and thought Lot 55 would be a good area. Gramor agreed initially and would participate by donating some money. The expectation was to buy the property valued at the time at about \$500,000-600,000. Meanwhile, the property owner received an offer from the mini-storage facility of \$1,250,000, which turned out to be the final purchase price, thus making the option of a park impossible. But the Murray Hill Owners Association had never supported this property as a public park. They had felt there was a balance of properties within Murray Hill and were looking toward commercial uses, dues-paying commercial uses.

An on-going issue with PGE was to maintain a portion of the property for a substation. PGE said they wanted to keep the property line as indicated (Mr. Cain indicated this on the map exhibit), where PGE does have one substation. But their plan was to build another regional substation. Their design, however, took up a large amount of space. Later, PGE agreed to reduce the size of this structure, due to new technology. In performing this down-sizing, they agreed to use some of their property for a buffer and offered to sell the front piece. There were environmental issues to deal with also, as PGE had used this as an industrial site for 30 years. Studies were then done, it was cleaned up and now it's a great site.

Mr. Cain emphasized this is a re-development project with two buildings that they can't tear down; the office building and garage storage building. It was decided to remodel the two existing buildings there and place new buildings on the site. In making this development a mixed use, we were able to utilize the site very well.

There was a concern with the buffering: how the buildings would interact; what type of uses would be placed where and how the substation would affect that.

Mr. Cain explained and noted the different buildings on the site. The most requested building was the gas station. It's location was out of the mainstream of the pedestrian environment. The neighbors closest to this building, however, brought up the issue of noise and appearance. To accommodate their concerns, it was agreed that they build a brick wall and plant mature trees for a shield. The problem of Scholls Ferry going from two lanes to one lane was also brought to the table. As a solution, we attempted to figure a way to build the second lane all the way to Teal. Washington County and the City of Beaverton favored this and made it a condition.

There is a bank-use building (#6); buildings along the street (#7); the area between Lot 55 and the PGE property presented a number of challenges and evolved into buildings # 8 and # 9. The area near Lot 55 was determined to need a good restaurant. Building #11 is alongside the pond. The walkways work; many trees were able to be saved;

wetland issues were resolved and approved by all the agencies. Lastly was the housing component. Rowhomes were placed against the bank.

In considering this project in its entirety, we have seriously considered the future and its impact. This, in itself, is a difficult task. The future is deceptive; in 50 years, we have no concept of what's going to be important to us. But, if "densification" is still "in", then we can get lots from this site. Nothing that is being planned now or that has been done now will stop the development from becoming much more dense. On the plan, we have tried to show what the future of this site could be, starting with what works today. Structured parking has been added; the garage building is gone; three levels of offices; housing with parking underneath has been added. The plan would evolve in phases. As is it presented here, the plan shows approximately four times more space on the site that what is on it now.

This has been a three phase project: Phase 1 occurred at the time PGE built it; Phase 2 is now; Phase 3 the future.

In conclusion, we have made a number of compromises, accommodated a number of concerns, we have superior buildings, added a wall and comprehensive landscaping, revised drive lanes, redesigned the "Beaches" building, etc., everything that has brought us here today. Parking is a critical issue, particularly the 90 degree parking. The only thing staff is recommending that the 90 degree parking affecting the existing garage storage building and the gas station (buildings 4 and 5) be changed. The parking was laid out as it was because of the characteristics peculiar to this area. The project is in its third year and works for the Murray Hill Owners Association, the local neighborhood association, for Traffic, for staff (for the most part), for retailers, office tenants, restaurant tenants, for our lenders, for us. This plan, to move forward, needs to be done now.

Chairman Maks stated to Mr. Grady that he was basically okay in concept with the plan.

MR. MICHAEL LEE, Sienna Architecture, 411 SW 6th Avenue, Portland, 97104 next presented architectural and design characteristics of the project. There was a hand-out of the square-footage for the entire proposal. Mr. Lee went on to discuss in more detail the two existing buildings on the site. Before and after pictures are shown of buildings 1 and 2, both renovated and converted into new office space; designed to add to the cohesive whole of the center and blend in with the surrounding development.

Building 3 is a mixed use office building with retail fronting the parking. There was an enhanced pedestrian environment. Building exteriors were modulated using arcades, cornices, canopies.

Building 4 was significantly heightened to deliberately obscure the PGE substation; buildings 6 and 7 were placed up against the streets, glass on all four sides to enliven

the view. Buildings 8 and 9 (on different grades) allowed for advantageous construction. Building #10 is Beaches Restaurant whose design characteristics set it apart. It is a more rusticated design style, and works well with the water setting. Building #11 is modified to react to the water. Its storefront goes throughout the building.

Mr. Lee stated this site plan was created to greatly involve pedestrian activity and connect throughout the site, through the extensive use of sidewalks, trail systems, outside table cafes, bench seats, pedestrian light standards, more paved areas, series of plazas and spaces. They also endeavored to create very strong intersection areas, landscaped, and textured concrete, which helps slow traffic, and move pedestrian traffic to the site. These are raised intersections designed to calm traffic. The main entry to the site is Scholls Ferry Road, where we tried to create an urban environment. Ceremonially type signage was placed near the end of the access of Murray Blvd., making it a prominent feature for the center. The overlook area is also a special place in the center which connects the pedestrian traffic from the upper grade down to building #11. Handicap access is also provided throughout the site.

MICHAEL ODREN Christopher Freshley Landscape Architect, Landscape Design, 1020 SW Taylor, Suite #355, Portland, 97205, described special features of landscaping utilized with an urban setting with natural features around it. The design considered four approaches: street scape, entries, parking and natural areas. Specific techniques used were passive solar, buffering, landscaped berm, terraced plantings, tiered hillsides. For the Beaches Restaurant and path along the pond, the "Beach" theme was maintained. Throughout, the goal was to tie the whole site together. Around the pond, use of native plant materials, ornamentals was the plan so as to create a park-like appearance. Great effort was made to retain the trees where possible.

RANDY S. MCCOURT, DKS Associates, 921 SW Washington, Suite #612, Portland, Oregon, 97205, presented the transportation analysis, having worked on this project over the last two years. He summarized offsite and onsite findings.

Offsite analysis: these were conducted in coordination with both City and County. Davies and Scholls were not included because in the TSP it is identified as a realignment with Barrows Road which would fully mitigate that location. A key issue, in terms of capacity, was Scholls, extending it out five lanes to Teal, which was included and incorporated as part of the conditions. Regarding the access study currently within Washington County, those conditions as they come through will be the defining conditions for this project. Bottom line in terms of capacity, the project generates approximately 700 to 800 trips in a peak hour. Those can be accommodated on the site without any significant impact.

Pedestrian accessibility, an onsite issue, was achieved through a number of access points. This was a major quandary. Concerning the balance of traffic volumes, dealing

with approximately 800 cars (500 in the a.m.), this is spread out to five access points and one traffic signal on the site. With regard to access control, the more access points, the more driveways impacts safety. On the other hand, the less access points, less pedestrian activity. We found the balance in this plan to be the most sufficient, effective and safe for the public.

One traffic signal is proposed with the site, located on Scholls Ferry Road at the main entry point, where there is the highest concentration of traffic, generating about 5000 cars a day. Other roadways are generally in the range of 1000 to 2000 cars a day. With regard to the pedestrian path system, we looked at the need for left turn lanes. Every intersection on the site plan was evaluated, internally. We determined no need for left turn lanes. There is a private road being built which will provide the ability to service traffic and blend traffic out through the site and provide important linkages to access points. Transit access was another key issue: the flowing down all pedestrian lines down to the street providing accessibility to transit, was incorporated into the project site. To respond to the concern about the internal roadway having cut-through traffic, all the testing that we've done shows no indication that there would be any cut-through traffic utilizing that road. Regarding the parking issue, some stacking areas were extended and 90 degree parking on the road as planned. Research found virtually no incident of this being a safety concern (roadway volume 1000 cars). This also was not a problem from the pedestrian and bicycle standpoint.

Mr. Matt Grady noted that Washington County had responded to all requests, allowing accesses as shown on the plan. Murray Blvd. is shown right now as a right-in only. We are requesting the Commission to consider as an option a right-in, right-out. We've also asked to have a controlled left-in on SW Scholls Ferry Road on the far western end.

Mr. Grady moved to a discussion of Mr. Steve Abel's letter and request for changes: Under Conditions of Approval, he stated they would like to amend Item #6, concerning an eight foot pathway, having found that a six foot wide trail would work well with strollers, wheelchairs, people going in both directions. The eight foot trail jeopardizes promises to try to retain the big trees near Beaches Restaurant. The second Condition under Facilities Review Conditions of Approval, dealing with Transportation, Condition 1A, Mr. Grady states they are asking the Commission to move that Certificate of Occupancy for the fourth structure, to the sixth new structure; the reasons being the number of necessary permits we are required to have and the processes we have to go through in acquiring the land rights from BPA, underneath the power lines. This process requires a separate Design Review Type III Application at the City of Beaverton, once we've gotten through BPA who has to grant an easement from the homeowners. Having this Certificate moved to the sixth new structure would help considerably the time frame involved.

Transportation, Condition CUP4: 90 degree parking. Staff is recommending the conditioning of 90 degree parking only on one side of the road. This works for

Buildings 1, 3; it does not work for #4. But in order to lease that structure, it is essential that it be there. This is felt to be safe. For this, it is intended that traffic will be moving at slow speed, 5 to 10 mph: due to the placement of raised crosswalks, raised tables. Possibly this Condition would be worked with 90 degree parking, with the exception of space between Buildings 4, 5 and 6; or, 90 degree parking allowed just as shown.

Condition CUP5, regarding access located within 40 feet of intersection streets: Mr. Grady stated they believed we've acknowledged this in all places where there's provisions for public access easement. We are asking that this Condition be removed in its entirety because it doesn't work or the alternative language would include information concerning the western side of the project, by Buildings 4, 5 and 6.

Condition 6, size of the head-in parking spaces: Discussions have dealt with ways to get more open space; more plaza and pedestrian area. Staff would like you to consider what would happen if stalls were shortened to a possibly 15 ½ foot depth. We had indicated the 18 ½ foot, 28 feet of aisle room, to allow a little more room for people starting to back out, people who might be on a bicycle possibly requiring more maneuvering room than the strict 24 foot wide requirement. By shortening the stalls only, the space would be consumed by bumper overhang. They asked for this Condition, that sizes be left as depicted on Gramor's plan site dated 7-20-99.

Condition 12C: this should be corrected to read 1C. Washington County has asked that this be completed by the time we reach a trip generation from the site of 4900 trips per day. Mr. Grady stated that it takes lead time for them to get the signalization design done, and then reviewed by Washington County, who feels that the Certificate of Occupancy should be done up front, at the issuance of the site development permit.

A recess was taken and the meeting reconvened.

Chairman Maks made several comments regarding the presentation and reviewed some of the square footage on the hand-out sheet. He stated that the presentation was very good, residential good, commercial good. Mr. Able was questioned about square footage per density, what table did he use? He answered Tables M and N.

In reviewing the square footage on the hand-out, Chairman Maks questioned the Applicant as to whether or not they had had a problem with the square footage being conditioned, that they occur. Chairman Maks stated that these areas will change, especially in circumstance that the Applicant were to sell, and "go away". If the Applicant goes away, the mix goes away. Chairman Maks commented that the present planned mix was satisfactory; and made the observation that higher density provides more employment, good housing availability and services with intense business climates. He noted access to the development is conducive to both transportation and walking. Relating to these issues, discussion included the redevelopment of existing structures. Mr. Abel stated that they need flexibility within the category of uses and percentages of usage; and the importance of finding a middle ground.

Chairman Maks stated that although he like the proposed mix, he did not like the streets, nor the parking proposals, particularly the issue of the 90 degree, head-in areas; very unsafe with regard to bicycles and backing-up traffic, and maneuverability. It was his supposition that the project was to be moving toward bikes, pedestrian traffic and be transit oriented. Chairman Maks advised that Tri-Met did not see this either in the plans. He questioned the use of buses in the future. Mr. Cain addressed a part of the transit situation and noted that if the street was made a public street, it would make it easier for Tri-Met to have access. Tri-Met wrote a letter expressing disappointment in the plan. Chairman Maks asked Mr. Cain if Tri-Met had anyone there to speak to them. He replied Tri-Met had not met with the Applicant. Mr. Able stated that they have not precluded a bus access through the site. Mr. Cain related that the planned streets respond to all the issues of movement and safety; cut-through traffic was not an issue, with raised medians, speed tables, traffic flow calmed to 5 to 10 mph. Chairman Maks stated that 5 to 10 mph is not enforceable on private property. Mr. Cain responded that once the raised medians were in place, along with the higher speed tables, much like Portland Metro Airport, traffic would in fact be slowed to that speed. Mr. McCourt addressed design factors at the Airport which slow traffic and are hence implemented in Gramor's plan. These are successful especially considering the airport's high pedestrian volume. Mr. McCourt continued to respond to the bicycle friendly and safety issues by indicating that the project is designed to bring bikes into the retail and core accesses; bicycle activity is both integrated into the retail and neighborhood designs. Chairman Maks concern continued to be 90 degree parking and bicycle traffic. Mr. McCourt answered that the length of the stalls have been shortened to provide extra space for sight visibility. He stated that very few studies exist relating to this situation as there is a low incidence of accidents. Chairman Maks asked about collector volumes; Mr. McCourt responded regarding legitimacy, that the research and data was not available due to the fact that it has not been a problem.

Continuing with the transit issue, Mr. McCourt stated that access is easier to accommodate when the center is more built-out, ie. Raleigh Hills. Tri-Met keeps their buses out on the main routes. Chairman Maks replied that Tri-Met was planning smaller units to accommodate higher density areas, per their letter dated June 22, 1999. Mr. Cain also had receipt of the letter, that it was a routine format letter. Mr. Cain added that Gramor has addressed these issues in different ways: FAR has indicated changes in the street, they are at a fringe level for internal transit. Mr. Abel asked if in fact it was Tri-Met's intention to have buses on the site. Chairman Maks responded that that would have to be checked on.

Questioning the 20 foot trees, along the berm and near building 11, Chairman Maks asked if Gramor is in agreement with City regulations concerning street arterials. Mr. Cain said they are. Chairman Maks asked for the reason for not studying the Scholls Ferry and Davies intersection was. Mr. Cain responded that the project does not impact this site.

Commissioner Heckman addressed Mr. Grady with the following questions: Page 2, square footage of offices. Mr. Grady stated that this refers to Tax Lot 200. Is the CUP still in effect? Mr. Grady responded, yes.

Commissioner Heckman added that if this were still in effect, then how could the soil around the lake be moved. Mr. Grady answered that if the Commission were to approve, action could be taken to supersede that item.

Regarding the trail network, Commissioner Heckman asked who was responsible for maintaining them. Mr. Grady replied the Murray Hill Home Owners Association. Regarding Page 7, time frame, Phase D was to start when? Mr. Grady: Three and one-half months. If delayed, when would the build-out happen? Mr. Grady replied that once the grading was completed, the site would be seeded, vegetation planted, the goal was before November of this year. The first build-out, is scheduled for 2005.

Page 6, right-in, right-out on Murray, Commissioner. Heckman was concerned that people would exceed the speed limit to navigate this. Mr. Grady concurred that the weaving movement was still a concern. From Teal to Scholls Ferry Road, traffic continues to be intense. Mr. Grady commented that it was not totally unsafe, drivers would take another way out. Commissioner Heckman disagreed. Mr. Grady expressed information relating to results ascertained from comparison traffic areas, which showed this type of circumstance not to be a real problem. Commissioner Heckman continued to convey concern and state he was not convinced. Page 11, in consideration of the statement, "this building will be approved", requested language be modified. Page 15, regarding the existing maintenance building, asked if it was Applicant's future Building 2, as this appeared to be inconsistent in the report. Mr. Grady replied it was.

There was a discussion regarding the 12 foot width for sidewalks and locations on the site where this was not adhered to. Concerning office spaces and tenants and tenant requirements, language would need to be specific and regulative. Commissioner Heckman related the possibility of ownership concern. Mr. Grady responded that perhaps in the future, there could be problems with subdivisions with regard to tenants and usage.

Commissioner Heckman discussed transit access to the development, use of route 62. Mr. McCourt explained their contact with Tri-Met, was limited at this point in time, but they would be working with them on a turn lane east and west bound more concretely as the project solidifies.

Commissioner Heckman, Commissioner Johansen, Mr. Grady exchanged conversation regarding the wetland area, referencing Page 49, paragraph 4 and the letter for the Army Corps of Engineers. Monitoring (Page 50, paragraph 3) and environmental responsibility were clarified by Mr. Grady and Mr. Abel, who responded that the monitoring would extend 10 years and the area be maintained by Gramor. Mr. Abel

stated the Applicant would have to honor permit conditions. Chairman Maks added that the Army Corps of Engineers would make determinations relating to channel silting issues.

Page 60 of the report, Commissioner Heckman commented that he was surprised there was not more housing on the site.

Commissioner Wolch commented on a number of items relating to traffic issues: i.e. the controlled left on Scholls Ferry Road. Mr. Cain, with assistance from Mr. McCourt, stated in the Traffic Report, page 25 this was a channeled left. Commissioner Wolch questioned the 40 foot separation, traffic being backed up, CUP Condition 5, but stated a possible solution being in the elimination of a couple of parking spaces. Mr. Cain affirmed they had already removed some of the stalls in one particular area, a lower volume area, but it was possible they could remove more. Commissioner Wolch asked about the Teal/Scholls Ferry Intersection. Mr. McCourt said this had been addressed as a lower volume area, and studies determined a problem could exist in 2005-2015. He also stated that the issue here was dealing with the BPA. Mr. Cain added they were working through the process with the BPA; they were amenable to the resolutions and had no plans to delay. Mr. McCourt added that all right-of-way issues had been dealt with.

Commissioner Voytilla also addressed a number of concerns, centering around the pond: ownership, maintenance, distance between the pond and the path, problems with silting up, process for handling. Mr. Cain answered that the pond was owned by the Murray Hill Homeowners Association; maintenance was a process of run-off; there was ten feet between the pond and the path.

TIM GASCHKE, Kurahashi & Associates 12600 SW 72nd Ave., Tigard, OR 97223, in response to the silt problem, advised they were treating the water before release to the pond. They were on top of handling this problem and there would be no adverse impact to the pond. Other systems were being developed to enhance and make this process even more efficient.

Commissioner Voytilla made the additional comment concerning the distance being ten feet between the pond and path, how extensive could the green areas and sitting areas be? He further discussed shared parking, high auto density and subsequent parking issues. There was concern with parking for the restaurant, and other parking areas. The gas station and the bank were concerns with regard to high auto density.

Commissioner Voytilla mentioned the Facilities Review Board and Tualatin Valley Parks, and if there had been any further discussion regarding new trails, park sites, existing trails. Mr. Grady stated that their parks contact had been in communication and preferred to have Gramor be responsible for maintenance.

Commissioner Voytilla also expressed concern about access and signage with regard to the Beaches Restaurant. Mr. Cain stated that people would have no difficulty in navigating their way to the restaurant due to its high profile. Commissioner Voytilla also had concerns about traffic volumes at Teal, southbound Murray. Mr. McCourt stated that the County would address the traffic control issue and that studies showed volumes were well below 500 cars a day.

Commissioner Dunham commented that she felt the mixed uses were good, Gramor had made a number of satisfactory accommodations and was pleased with their responsiveness. She did like the private street, it would seem to be slower, more circuitous, and did not see it lending itself to cut-through traffic. She did not like the 90° parking on it. Commissioner Dunham also felt the remodel had been nicely done, design elements were good. However, the corner of Scholls Ferry and Murray was a concern. She questioned whether or not the 20 foot trees near the project entry would obscure it. Mr. Odren gave assurance this would not happen, the eye would be drawn to the ornamentals and tiered plantings.

In addressing the concern of the private street, Commissioner Dunham stated she had a problem with the 90 degree parking on both sides, and asked of they would compete with each other. Mr. McCourt responded that this was a lower volume area and it was for this reason, the parking was planned this way, to be used as a calming traffic item and it was purposefully made compact.

Commissioner Dunham questioned the possible safety hazard of having a gas station close to a substation. Mr. Cain stated all this had been taken into consideration, they had tried a number of alternatives, but considering gas trucks, flow of cars, only this particular location would fit. Studies and findings of a major oil company with regard to parking, sparking, distance, and fueling system placement were included. In closing Commissioner Dunham commented that in Applicant's future plan, there was no gas station at all.

Commissioner Johansen addressed conflicting information concerning the signalized access, on/off Scholls Ferry Road. Mr. Grady stated this was a right. Commissioner Johansen, with regard to the phasing notion, questioned the triggering process signaling movement to the next phase. Mr. Grady replied the rowhomes, gas station, the evolution of the site development, that in fact there were no specific triggering devices as such, but rather a natural progression of building development. Commissioner Johansen indicated that there was little frontage on Scholls Ferry Road. Mr. Grady stated that this was a result of the evolution for the redevelopment, it had made sense to put the building at that location as there was a 25,000 square foot building here (pointing to exhibit), it was a good compromise. Commissioner Johansen commented that pedestrian accessibility and amenities were good. He also stated concern about the timing of Scholls Ferry. Mr. Grady responded that the intention had been to have this occur only from the west end. Commissioner Johansen also questioned the application of the term "internal use" Chairman Maks stated that he wanted follow-up information

on this term as well, in the way it is used in a letter from Mr. Abel with regard to the Tri-Met letter.

Commissioner Heckman brought up a point of procedure, the 11 o'clock rule and moved for a continuance until 11:15 p.m. Chairman Maks stated that there were six cards from the public. Discussion followed regarding the 11 o'clock rule. Commissioner Heckman as a matter of record, pointed out that it was in place for serious reason, efficiency is lost.

Commissioner Heckman MOVED, Commissioner Dunham SECONDED, to extend the meeting to 11:30 p.m. Chairman Maks advised the Commission that this was the 63rd day of the 120 day period. The question was called and the motion CARRIED unanimously.

Chairman Maks addressed Mr. Abel, concerning page 23 of the Application, with regard to the limit set on residential units, did the Commission do that? Mr. Able replied they did not, that statement was not correct. He added that that was a procedural matter relating to the posture of the case and why the site plans looks the way it does.

PUBLIC TESTIMONY:

Chairman Maks stated there were no cards against and proceeded to take public testimony for the application..

S. ALEXANDER MARRERO, Murray Hills Homeowners Association, 11314 SW Meadow Lark Lane, Beaverton, Oregon. Mr. Marrero confirmed his support of the project, and stated he felt the plan worked. The project was beneficial and pleasing; the parallel parking was acceptable; and felt Gramor had gone far and beyond what they had to do. As examples: the vegetation along the lake, saving trees, and natural landscaping, they improved areas they did not own---powerline areas, dressing this up. All this was visually acceptable to homeowners. It was also a plus for the community. Mr. Marrero requested that the Commission consider and approve Gramor's request for the project.

DEBBIE LAPERLE, 15118 SW Ivy Glenn Court, Beaverton, Oregon, 97007. Mrs. LaPerle expressed her support of this plan, it would be a plus to their community. She plans to be in the area for a long time, and has waited for a development of this type for a long time. She greatly appreciated the quality and stability of the proposed businesses.

SUSAN KRAMER, 15226 SW Ivy Glenn Court, Beaverton, Oregon. Mrs. Kramer stated she favored the project and was impressed with the planned businesses without exception. She felt there was ample parking and looked forward to driving there with her three children.

JACK YOUNG, 10770 SW Heron Circle, Beaverton, Oregon. Mr. Young read a letter addressed to the Commission strongly supporting the Gramor application. He commented on a number of issues and stated that a development such as this should be strongly encouraged in the community; the proposed street size and alignments were satisfactory; but there would be a need for shuttle buses and possibly other rail connections. He stated that an urban center development would be a good transitional project. Mr. Young added that citizens took great store in such a plan which would minimize wildlife impact. He felt that this plan would greatly enhance the lives of people and children.

LOUISE CLARK, 11385 SW Bobwhite Place, Beaverton, Oregon 97007. Mrs. Clark stated that she was in support of the Gramor plan. Concerning the private versus public road of Teal and the problem of cut-through traffic, she would not like this to even be a remote issue. Regarding the transit issue, there was adequate time, as it was still early in the process.

NANCY L. KNEES, 15770 SW Bobwhite Circle, Beaverton, Oregon 97007. Mrs. Knees recalled having signed a letter in 1992 regarding this development. Now she is seeing it finally evolve. She stated that she absolutely supported what Gramor was doing and appreciated their thoughtful planning. She also appreciated the Commission looking at the issues of keeping her family safe, in driving and biking.

Public testimony was closed.

Chairman Maks stated that he had one issue dealing with his interpretation on the request from the Applicant regarding some conditional changes, did they come from Washington County? Mr. Cooper stated regarding Condition B1, the Commission did not have the authority to modify the Washington County 90 degree parking issue, or the size of parking space.

Mr. Abel stated that staff needed time to consider the proposed amendments and requested a continuance for seven days, returning Wednesday, August 11, 1999 and waiving the 120 day clock for that period. Chairman Maks confirmed the "extra" seven days.

Commissioner Johansen MOVED and Commissioner Voytilla SECONDED to extend the meeting to 11:35 p.m. The question was called and the motion CARRIED 5-1 with Commissioner Heckman opposed.

In an effort to get information to the Commissioners in a more timely manner, Mr. Abel requested e-mail addresses. Chairman Maks stated that this process was against policy, and that if information was provided to city staff, they would forward it to Commission members.

Mr. Abel also stated that PUD code was there to look at the totality of a site and that it was important to examine closely what a PUD involves.

Chairman Maks stated he had received a request for a continuance from the applicant.

Commissioner Heckman MOVED, Commissioner Voytilla SECONDED that a continuance be granted as Mr. Abel had requested a seven-day continuance thus extending the 120 day period by seven days and the meeting continue on August 11, 1999. The question was called and the motion CARRIED unanimously.

APPROVAL OF MINUTES

Commissioner Heckman moved the minutes of July 7, 1999 be approved as submitted. The question was called and the motion CARRIED unanimously.

Chairman Maks noted that the meeting would be continued on August 11, 1999 and no Commissioner should have any contact or discussion regarding the continued application.

ADJOURNMENT at 11:35 p.m.